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contol 2

5. (Amended) A Polymorph according to claim 1, which provides an X-ray powder diffraction (XRPD) pattern substantially in accordance with Figure IV and/or Table II.

- 6. (Amended) A Polymorph according to claim 1, in isolated form.
- 7. (Amended) A Polymorph according to claim 1, in pure form.
- 8. (Amended) A Polymorph according to claim 1, in crysalline form.

14. (Amended) A method for the treatment and/or prophylaxis of diabetes mellitus, conditions associated with diabetes mellitus and certain complications thereof, in a human or non-human mammal which comprises administering an effective, non-toxic, amount of Polymorph according to claim 1 to a human or non-human mammal in need thereof.

REMARKS

The above-identified application is being entered into the National Phase from PCT application No. PCT/GB00/01522.

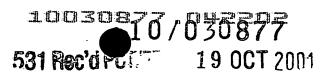
Applicants have amended the claims to put them in conformity with U.S. practice. Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

No new matter has been introduced.

Respectfully submitted

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

An abstract has been added.

In the Claims:

Claims 11-13 have been canceled.

- 1. (Amended) A polymorphic form of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, maleic acid salt (the Polymorph) [characterized in that it provides:] <u>comprising:</u>
- (i) an infra red spectrum containing peaks at 1752, 1546, 1154, 621, and 602 cm⁻¹; and/or
- (ii) a Raman spectrum containing peaks at 1751, 1243 and 602 cm⁻¹; and/or
- (iii) a solid-state nuclear magnetic resonance spectrum containing peaks at 111.9, 114.8, 119.6, 129.2, 134.0, 138.0, 144.7, 153.2, 157.1, 170.7, 170.7, 172.0 and 175.0 ppm; and/or
- (iv) an X-ray powder diffraction (XRPD) pattern which gives calculated lattice spacings of 6.46, 5.39, 4.83, 4.68, 3.71, 3.63, 3.58, and 3.48 Angstroms.
- 3. (Amended) A Polymorph according to claim 1 [or claim 2], which provides a Raman spectrum substantially in accordance with Figure II.
- 4. (Amended) A Polymorph according to [any one of] claim[s] 1 [to3], which provides a solid-state nuclear magnetic resonance spectrum substantially in accordance with Figure III and/or Table I.
- 5. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 4], which provides an X-ray powder diffraction (XRPD) pattern substantially in accordance with Figure IV and/or Table II.
- 6. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 5], in isolated form.
- 7. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 6], in pure form.
- 8. (Amended) A Polymorph according to [any one of] claim[s] 1 [to 7], in crysalline form.

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14. (Amended) A method for the treatment and/or prophylaxis of diabetes mellitus, conditions associated with diabetes mellitus and certain complications thereof, in a human or non-human mammal which comprises administering an effective, non-toxic, amount of Polymorph according to claim 1 to a human or non-human mammal in need thereof.